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REPORT
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REPORT ON THE ACTIVITIES OF THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES DURING THE NINETY-EIGHTH CONGRESS

JANUARY 2, 1985.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BOLAND, from the Permanent Select Committee on Intelligence, submitted the following

REPORT

REPORT TO House

BACKGROUND

Rule XI.1.(d) of the Rules of the House requires each Committee to submit a report on its activities during the Congress ending on January 3 of each odd-numbered year.

This report, however, marks not just the end of the 98th Congress but the conclusion of the term of service of seven Members who have been with the Committee for six or more years. Six of the seven have been on the Committee since its inception in 1977.

Rule XLVIII of the Rules of the House mandates that: "No Member of the House may serve on the select committee for more than six years of continuous service, exclusive of service by any Member of the House on such Committee during the Ninety-fifth Congress."

The original Members literally started the Select Committee on Intelligence from scratch. Prior to its inception, there had been no committee of the House devoted exclusively to the oversight of United States intelligence activities. The Committee has approached its duties on a non-partisan basis. This is as it should be. In order to gain and retain credibility, a committee charged with overseeing U.S. intelligence activities must be, and ought to be perceived to be, non-partisan in its activities.

DEATH SQUADS

In March 1984 the Committee considered H. Res. 467, a resolution of inquiry introduced by Mr. Shannen. In its report to accompany H. Res. 467, the Committee indicated that it believed that a comprehensive study of possible U.S. intelligence connections with death squads in El Salvador should be conducted, and that such a

study should include a review of intelligence reporting on this subject. In addition, several members of the House urged the Committee to conduct an investigation into allegations concerning U.S. intelligence support to death squads. The following is a report submitted by the Committee's staff addressing this subject.

STAFF REPORT

The staff's investigation looked at press reports and materials from private organizations alleging a range of U.S. intelligence activities with reference to death squads. These allegations can be summarized as follows:

- That U.S. intelligence trained, organized, financed and advised Salvadoran security forces that engaged in death squad activities;
- That U.S. intelligence was aware of torture and killing by Salvadoran security services and death squads, and in some cases participated in such killings.

The Committee staff conducted a comprehensive review aimed at providing as much information as could be gathered bearing on these allegations. It reviewed intelligence reporting on death squads as well as the intelligence tasking which established priorities for intelligence collection. The staff examined all intelligence reporting bearing on death squads from 1979 to present. It reviewed State Department cables bearing on the same subject. The staff conducted interviews with numerous intelligence officials knowledgeable about intelligence activities in El Salvador from 1979 to 1984. The staff also reviewed in detail a CIA Inspector General report requested by the Committee in connection with H. Res. 467. This report reviewed CIA operational relationships that might have involved members of death squads. Finally, the staff made additional requests for information and asked many questions concerning the above.

The staff review was limited to U.S. intelligence agencies, their activities and reporting. It was also limited to the period from 1979 to 1984. Although the staff reviewed intelligence reporting on both left-wing and right-wing death squads, it concentrated on reports concerning, or relationships involving, right-wing death squads because such groups were the concern of members of the House who requested the Committee's investigation.

Finally, the staff investigation, while not limited strictly to death squads, drew conclusions only with respect to a limited set of groups. Referred to as death squads, these groups clandestinely kidnap, torture, mutilate or murder Salvadorans for political purposes. Although such groups include members of Salvadoran security forces and the Salvadoran armed forces, they also include private individuals. Death squad activities do not include those activities conducted openly by the regular military forces of El Salvador.

The staff's review of operational intelligence relationships leads it to conclude that U.S. intelligence agencies have not conducted any of their activities in such a way as to directly encourage or support death squad activities. To the contrary, U.S. intelligence activities have been directed, sometimes successfully, at countering death squad activity, reducing the power of individuals connected

with death squads, and seeking their removal from positions of authority.

It is also true, however, that some U.S. intelligence relationships with individuals connected with death squads may have been such that some Salvadorans or other observers of Salvadoran political and military life could conclude that U.S. intelligence condoned, because it was aware of, some death squad activities. The staff views this as regrettable, but perhaps unavoidable. If U.S. intelligence is to collect information about death squads, it must do so by obtaining information from individuals associated with or knowledgeable of such activities. That in itself may be repugnant to some, but to obtain good information of this kind inescapably involves U.S. intelligence in relationships which otherwise would be discouraged. The staff believes that it is in U.S. interests to collect such information so that it may be used in an effort to thwart and to end death squad activities.

While the staff concludes that U.S. intelligence relationships with right-wing figures, including those who may be involved in death squad activity, have not been improper, it believes that such relationships must be undertaken with extreme sensitivity because of the appearance of U.S. support such relationships can create. In the main this appears to have been the case. There are and will continue to be cases where extreme sensitivity is called for.

The staff is unable to say that all U.S. intelligence relationships during the period covered by this review were conducted with appropriate sensitivities in mind. Several such relationships ought not to have been initiated, although they may never have reached full maturity. In other cases, the staff's review indicates that U.S. intelligence had less than complete knowledge about the individuals with whom it had relationships. This is disturbing. The staff's review, however, also reveals high level sensitivity, both within the intelligence community and senior policy levels to the serious nature of Salvadoran death squads. The staff recognizes that there is a firm commitment to collect intelligence on death squads and to take all appropriate actions to end such activities. There now appears to be high level awareness throughout the intelligence and foreign policy communities that all operational intelligence relationships in a country such as El Salvador must be viewed very cautiously.

The staff has uncovered no evidence that U.S. intelligence officials or U.S. intelligence policy in any way encouraged torture by Salvadoran security service or by any death squads. To the contrary, all that the staff can discover indicates U.S. intelligence efforts to moderate the behavior of Salvadoran security service and armed forces personnel to prevent such activities. The staff looked carefully into allegations that U.S. intelligence supports institutions, such as the security services, which either support or directly engage in death squad activities. U.S. policy, and the individual efforts of U.S. officials of which the staff is aware, clearly discourage activity, official or unofficial, by any Salvadoran that could be characterized as death squad activity. Further, as the U.S. has learned more about death squad activity, and as it has concentrated more policy attention on this subject, some improvements have taken place. The staff points in this regard to the exile from El Sal-

vador of certain officials identified by the United States as having death squad connections. This is not to say that further progress is not clearly indicated or that all U.S. intelligence relationships have been conducted with appropriate sensitivities to possible death squad connections. What the staff does recognize, however, is that U.S. intelligence policy and procedure for dealing in this very uncertain area are appropriate. If implemented correctly, they will no doubt decrease the likelihood that future U.S. intelligence activities could be viewed as inappropriately supportive of death squad activities.

The staff's review of intelligence reporting on the subject of death squads indicates that at present the quality of intelligence on this subject is good, in some cases excellent. This was not always the case. It did not appear that collection tasking for information on right-wing terrorism was a high priority until late 1982. Part of this can be attributed to a dispute at policy levels as to exactly what targets U.S. intelligence would address. This dispute, referred to in the September 1982 Committee staff report entitled "U.S. Intelligence Performance on Central America: Achievements and Selected Instances of Concern," appears to have distracted U.S. intelligence efforts in this regard. It also appears that at policy levels no firm priority was established for such collection during the period 1979 to 1982. Rather, U.S. intelligence concentrated in that earlier period on left-wing terrorism and Salvadoran insurgent activities.

The staff was somewhat surprised at the significant nature of the post-1982 intelligence reporting on death squads. In part, this surprise results from the limited distribution of such reporting due to its sensitivity; in part, because there have been no significant finished intelligence products of wide dissemination within the intelligence community on the subject of right-wing terrorism. The staff encourages such a review. The staff concludes that death squad activity could have been and should have been the focus of U.S. intelligence collection earlier than it was and a topic of U.S. intelligence analysis available to a more widespread group of policy level consumers.